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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-third year

Identical letters dated 17 November 2008 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Israel, the occupying Power, continues to escalate its military campaign in the Occupied Palestinian Territory, particularly in the besieged Gaza Strip. This latest escalation by Israel began on 4 November, in violation of the Egyptian-brokered ceasefire that has held since June 2008. In the period since 4 November, the Israeli occupying forces have killed at least 14 Palestinians and caused direct harm to the entire civilian population in the Gaza Strip as it has completely closed all Gaza crossings, even to essential international humanitarian aid, severely disrupting the food and fuel supply. This has even impacted United Nations operations on the ground, including that of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), which is providing food rations to over three quarters of a million Palestinians left needy and hungry by this inhumane Israeli siege.

In our letter to you on 5 November 2008, we clearly warned against this wilful and senseless Israeli escalation of violence, which is solely aimed at undermining the Palestinian Authority's efforts to maintain calm and promote reconciliation and at diverting attention from the peace process by dragging us all back into a vicious cycle of violence. In this regard, on 16 November, Israeli Minister Shaul Mofaz publicly called for the intensification of Israel's illegal campaign of extrajudicial assassinations and the continuation of this campaign as an official component of Israeli policy. Further, Israeli Vice-Prime Minister Haim Ramon has shameless called for cutting off electricity and water supplies to Gaza's 1.5 million residents, and there are reports, such as the one aired on the occupying Power's army radio on 11 November, referring to the razing of towns and villages in Gaza, showing abject disregard for international law and the international community's calls for respect for the safely and well-being of the Palestinian civilian population in Gaza.

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Such actions and declarations reflect utter disregard for the lives of the Palestinian civilians under Israeli occupation. In fact, we are witnessing a repulsive competition between Israeli leaders in their election campaign, in which the winner adopts the most extreme, violent, or racist position and/or action towards Palestinians. In this regard, we must stress that, as in the past, such military escalation will not bring stability or security to the area, but will only engender more violence, create more humanitarian suffering and loss and further undermine peace efforts.

Regardless of the pretext used by Israel, nothing can justify the collective punishment of over 1.5 Palestinian civilians — such actions are strictly forbidden under international humanitarian law, particularly article 33 of the Fourth Geneva Convention. The United Nations, including the Security Council, and the High Contracting Parties to the Fourth Geneva Convention must uphold their legal and moral responsibility to end this inhumane policy that only targets civilians, including children, women, the elderly and patients in urgent need of medical attention. We have repeatedly cautioned against this policy, which has been intensifying, even while a ceasefire with Israel was strictly honoured. Additionally, United Nations agencies and several other international organizations have continuously warned about the grave humanitarian impact of this punitive siege and its vast, long-term effects. Now the urgent question that must be asked is: What more is the international community waiting for before it decides to intervene and put an end to this criminal policy? Must the current Israeli-imposed humanitarian disaster in Gaza turn into an outright catastrophe before international action materializes?

At the same time, Israel continues all other violations of international law in the Occupied Palestinian Territory, including East Jerusalem. In this regard, the occupying Power persists in its attempts to create more facts on the ground, relentlessly pushing ahead with its illegal settlement campaign that seriously threatens the viability of a two-State solution and the very prospects for peace. As reported in the Israeli media, Israeli Minister Ehud Barak recently authorized the construction of hundreds more new settlement units in the West Bank. Such a decision is totally contrary to the peace process and Israel's commitments therein and is extremely damaging to the process, the credibility of which cannot withstand continued confiscation of land and construction of settlements and the wall.

Regrettably, despite all of this, no Security Council condemnation has been forthcoming on these serious issues. Continued silence will only further feed Israel's impunity, allowing it to continue committing its violations to the detriment of the human rights and dignity of the Palestinian people and all of our efforts to achieve a just and lasting peace.

The ongoing bilateral negotiations between the two parties are not taking place in a vacuum. Instead, they are and should be held in the context of full respect for obligations under international law, including humanitarian and human rights law, as well as Security Council resolutions and agreements and commitments undertaken by the two sides, including the Annapolis joint understanding. This is the context that must be upheld and respected by all concerned parties seeking to promote the peace process, including the Quartet, of which the United Nations is a member. In this regard, given these principles and obligations, we must all work to dispel any Israeli illusions that it can continue its illegal and destructive policies in the

Occupied Palestinian Territory and at the same time claim to want peace. The international community must cease appeasement of such behaviour and bear its responsibilities in this regard.

In closing, I wish to draw your attention to the commemoration by the Palestinian people two days ago of the twentieth anniversary of their Declaration of Independence. On this occasion, we reaffirm our determination to achieve the inalienable and national rights of the Palestinian people under the leadership of their sole and legitimate representative, the Palestine Liberation Organization. Indeed, despite the tragic, historic injustice that has befallen them and the continued suffering and hardship they endure, the Palestinian people still extend their hand in peace. Accordingly, we recall the statement by President Mahmoud Abbas on this occasion, in which he stated: "While we have chosen a just and comprehensive peace as means to achieving our rights fully, we say at the same time that peace and security cannot be achieved by the spearheads of brutal occupation".

The present letter is in follow-up to our previous 321 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 5 November 2008 (A/ES-10/425-S/2008/689), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter and its annexed list of Palestinian martyrs distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Feda **Abdelhady-Nasser**
Chargé d'affaires a.i.

Annex to the identical letters dated 17 November 2008 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (from Wednesday, 29 October 2008, to Sunday, 16 November 2008)

Wednesday, 29 October 2008

Mohammad Taher Abahra (65)

Wednesday, 5 November 2008

1. Ammar Saleem Salhiyya
2. Wajed Nizam Muhareb
3. Mahmoud Taha Ba'lousha
4. Omar Saleem Al-Alami
5. Mohammad Abdallah Awad
6. Mazen Nazmi Saa'da

Wednesday, 12 November 2008

1. Mohsen Moussa Al-Qedra
2. Mahmoud Na'eem Siyam
3. Rami Omar Fraina
4. Ismail Ali Abu Al-Ola

Saturday, 15 November 2008

Abdallah Husain Al-Manayaa'

Sunday, 16 November 2008

1. Talal Husain Al-Amoudi
2. Mohammad Hassouna
3. Ahmad Al-Helou
4. Bassel Al-Ouf

* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 5,295.